

Notice of Allowability

Application No.

09/254,474

Examiner

Lorna M. Douyon

Applicant(s)

NITTA ET AL.

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief filed May 16, 2005.
2. ☒ The allowed claim(s) is/are 16-17, 5-8, 21-24 renumbered 1-10 respectively.
3. ☒ The drawings filed on 05 March 1999 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Lorna M. Douyon
Lorna M. Douyon
Primary Examiner
Art Unit 1751

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard Gallagher (Reg. No. 28781) on June 24, 2005.

2. The application has been amended as follows:

- 2.1. Claims 13 and 20 have been cancelled.

- 2.2. In claim 16:

- a) line 9, "0.09" has been replaced with --0.05--;

- b) lines 11-12, the phrase "is added to the starting material components, including" has been replaced with --and--;

- c) line 13, after "anionic surfactant", the phrase --are added separately to the starting material components--.

- 2.3. In claim 17:

- a) line 9, "0.09" has been replaced with --0.05--;

- b) lines 11-12, the phrase "is added to the starting material components, including" has been replaced with --and--;

- c) line 13, after "anionic surfactant", the phrase --are added separately to the starting material components--.

2.4. In the Abstract of the Disclosure on page 95 of the specification:

a) lines 3-7, the sentence “ Detergent granules including.....from 0.1 to 1.0.” has been deleted;

b) line 8, “including” has been replaced with --includes--.

2.5. The TITLE has been replaced with: PROCESS FOR PREPARING DETERGENT COMPOSITIONS HAVING HIGH BULK DENSITY.

STATEMENT OF REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

The claims in their present amended forms have overcome the prior art of record because none of them teaches, discloses or suggests a method for producing detergent granules in the manner as those specifically recited, in particular wherein the sulfuric acid and liquid acid precursor of a non-soap, anionic surfactant are added separately to the starting material components. Barletta, one of the close prior art of record, in col. 5, lines 31-35 teaches that a typical linear dodecylbenzene sulfonic acid may have from 85 to 95% of sulfonic acid and 5 to 9% of sulfuric acid. Barletta, however, fails to teach, disclose or suggest a process wherein during the dry-neutralization step, the sulfuric acid and the liquid acid precursor of a non-soap, anionic surfactant are added separately to the starting material components, which is required in the present claims. Tadsen, another close prior art of record, like Barletta, also teaches that alkylbenzene sulfonic acid contains from about 85% to about 98% sulfonic acid active and from about 0.5 to about 12% sulfuric acid in col. 10, lines 4-11. Tadsen, like Barletta, fails to teach, disclose or suggest a process wherein during the dry-neutralization step, the sulfuric acid and the

Art Unit: 1751

liquid acid precursor of a non-soap, anionic surfactant are added separately to the starting material components, which is required in the present claims. Otrhalek, another close prior art of record, although teaching adding the sulfuric acid and the anionic acid precursor separately fails to teach, disclose or suggest the mole ratio of the sulfuric acid to the anionic acid precursor in amounts as those recited. It is evident from the Table under cols. 5-6 of Otrhalek that the mole ratio of sulfuric acid to the anionic acid precursor are outside the scope of the present claims. In addition, Applicants have shown on pages 49-76 of the specification that by dry-neutralizing the components in the presence of adding separately sulfuric acid and the anionic acid precursor having preexisting sulfuric acid in amounts as those recited, high-bulk density detergent compositions having small particle sizes are obtained at high yields when compared to similar processes without the additional step of adding separately sulfuric acid. Accordingly, the subject matter, as a whole, would not have been obvious to one of ordinary skill in the detergent art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (571) 272-1313. The examiner can normally be reached on Mondays-Fridays from 8:00AM to 4:30 PM.

Art Unit: 1751

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)..

Lorna M. Douyon

Lorna M. Douyon
Primary Examiner
Art Unit 1751